

SENATE BILL 3437
By Jackson

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 44, Part 1, relative to open meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-44-102(b)(1)(A), is amended by adding the language, "including the general assembly or a committee, subcommittee or ad hoc committee thereof," between the words "members of any public body" and "which consists".

SECTION 2. Tennessee Code Annotated, Section 8-44-102(b)(2), is amended by adding the following language at the end of the subdivision:

With respect to meetings conducted by the general assembly or by a committee, subcommittee or ad hoc committee thereof, the term "meeting" does not include discussions held by members of such bodies if a quorum thereof is not present at any time during which members of such bodies are meeting together.

SECTION 3. Tennessee Code Annotated, Section 8-44-102(a), is amended by adding the following language at the end of the subsection:

Provided, however, the authority of Article II, Section 22 of the Tennessee Constitution which requires committees of the whole of each House to be kept open unless "the business shall be such as ought to be kept secret" shall not be construed as applying to individual standing committees of the house or senate or subcommittees of a standing committee or ad hoc committees of the general assembly as such committees, standing or ad hoc committees are not committees of the whole; and provided further that the authority of Article II, Section 12 of the Tennessee Constitution giving the general assembly "all other powers necessary for a branch of the Legislature for a free State," shall not be construed in any manner to permit a standing committee of the house or senate or subcommittees of a standing committee or ad hoc

committees of the general assembly created by a specific house of the general assembly to hold meetings that are not open to the public at all times. A general assembly shall not exempt itself from the provisions of this section except by adoption of a rule that specifically permits meetings to be held that are not in compliance with this section.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.